EXHIBIT 12
DATE 1/15/2013
HB 26

Mr. Chairman and Members of the Committee-

My name is Marvin Drake. I live in Helena and have been a Montana resident for almost 48 years, and a bowhunter for 35 of those years. The equipment debate in archery hunting is not new. When I began bowhunting in the 1970's the compound bow was just becoming popular. Anyone involved in the sport knows how heated the debate was over the technical advantage a compound bow introduced to archery hunting.

The wounds from those debates have healed for the most part, but the reason it was such a heated debate is that ARCHERY HUNTING IS AT ITS VERY FOUNDATION, ALL ABOUT LIMITING THE TYPE OF EQUIPMENT USED BY THE HUNTER. This is by definition, and an important premise to remember. This is what makes the sport vastly different from other forms of hunting, and in my opinion, makes it a very special and challenging hunting experience.

I oppose HB 26 for a number of reasons. First, it gives the misguided impression that lighted nocks are the cure to recovering animals. In fact, no studies exist to show increased recovery with lighted nocks. The devices aren't even marketed as a way to improve recovery, rather as "cool gadgets which look good on video." Many skills are required to shoot well and recover animals. Making a good shot and tracking are the most important skills in recovering animals. Lighted nocks are not requisite equipment to improve recovery. When this bill came to my attention, I spent some time thinking about my experience and whether or not such a gadget would make much of a difference in recovery. I decided it would not. A primary reason is that because most of the time, one of two things happen when you hit an animal with an arrow. The first is a complete pass through. This is very common with today's modern compounds. Second is the arrow is protruding, usually nock end out. When the arrow is protruding, the animal in almost all cases breaks off the nock end within a very short distance. In both of these situations, the nock may help find your arrow, but not the animal.

Second, there are alternatives to lighted nocks that are completely legal and don't compromise the current laws. If you want to see your arrow better, you can buy the brightest colored fletching, nocks, and shafts on the market. Manufactures also sell bright colored or reflective tape, called "cap wraps." This reflective surface is easily seen by shining a flashlight on it in low light conditions. In addition, it provides several more inches of visible surface than a lighted nock. If a portion of the arrow is hidden under duff, the lighted nock may not be visible, while the larger surface of the cap wrap will be likely be visible.

Thirdly, this bill crosses a critical line. If we allow lighted nocks, how does the Commission or Legislature draw the line at the next addition to a bowhunter's arsenal? Making an exception for one electronic device will force both the Legislature and the FWP Commission to continually review electronic products on a case-by-case basis. Currently, the definition and interpretation of the regulation is crystal clear and free of gray areas or judgment calls. Several other electronic products are currently available which claim to make a bowhunter more effective. These include bow-mounted laser rangefinders and sights, laser broad heads, and GPS and radio-tracking devices installed on arrows. This progression is a slippery slope that will greatly undermine the very foundation of archery hunting.

Lastly, and most importantly, I oppose this bill because it contradicts our basic mission to respect the wildlife and protect the fair chase hunting tradition in Montana. Archery hunting is by design, a unique sport with a set of limitations and challenges. The spirit of archery hunting since its inception as a game management tool was to put the hunter at a greater disadvantage than with other methods. Again I will remind you of the premise I mentioned earlier– it is all about the equipment. If these challenges are lessened or removed by technology, bowhunting will be almost indistinguishable from other methods of hunting. HB 26 blurs the clear rules that have been established and leads our sport toward an onslaught of technological devices that would diminish the challenges inherent and integral to our archery seasons.

In government, as in business, many small decision need to be made every day that all make a big difference in where you end up in the future. While these decisions can be difficult, sometimes by taking step back and asking if something aligns with your mission can make the decision easy.

With that, I'd like to close by asking a question of you as committee members and Montana legislators. As stewards of Montana's wildlife and hunting heritage, what better aligns with your mission? Is it to support the archery equipment manufacturers and give archery hunters new advantage, or is it to support the spirit of why archery hunting was created in the first place and protect fair chase hunting in Montana.

Thank you for the opportunity to comment,

Marvin Drake

Examples Of Technological Equipment Available:

- **Bow-mounted range finders (marketed by Dead-On Rangefinder, Leupold, and BullsEye)**

Marketing statements: "Operates by simply squeezing the pressure pad on your grip, which activates an easy-to-read display that automatically provides the exact distance to your target." http://www.cabelas.com/rangefinders-leupold-vendetta-8482-bow-mounted-rangefinder-1.shtml

"The BullsEye Archery Rangefinder works on the same principle as the bracketing rangefinders found on some high-end rifle scopes." http://www.bullseyearcheryrangefinder.com/

- **Laser and lighted sights**

Marketing statements: "Barska® red-dot scopes have long been a favorite of shotgunners and handgunners. Now, bowhunters can enjoy all the same accurate dependability in a peepless sighting system. The 30mm Barska® red-dot scope has an easy-to-see laser dot in the center. The 11-position brightness control adjusts the visibility of the dot so it can be seen in all lighting conditions." http://www.cabelas.com/archery/sights/red-dot-laser-sights.shtml

- **Radio tracking devices for arrows**

"It's the Ultimate in tracking and recovery technology. You attach a plastic insert adaptor (provided) to the transmitter, and carefully slide the antenna and transmitter into a hollow aluminum arrow shaft. When the arrow is shot and hits something solid, the transmitter is activated. You simply place the earphone into the jack on the receiver and listen for the signal. You will hear the sound getting more rapid and intense when you are pointing at the transmitter (arrow). Just walk towards the strongest signal. Keep doing this until you find your arrow." http://www.turkeyhuntingsecrets.com/store/store-recovery-trackmaster-system.htm

- **Laser broadhead**

Take aim at laser precision for the accuracy boost you need! The Spot-On™ Laser Broadhead features an internal micro-laser that activates at full-draw, projecting a daytime-visible beam. Every Spot-On Laser features an adjustable set screw that allows the beam to be adjusted 24" of elevation at 30 yards as well as for windage. This allows each broadhead and arrow to be 'sighted in' with deadly, pin-point accuracy out to 70 yards!

- Laser activates via a bow-mounted magnet
- **Up / down and left / right set screw allows you to adjust the laser beam for windage and elevation**
- Broadhead is 125 or 150-gr., depending on which of the included tips you use (includes standard and large tips)
- Cutting diameter is 1 $^{1}/_{4}$"
- Can be used with or without sight pins and will aid in set-up and calibration
- **Disposable battery, included, lasts up to 100 shots**

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McFatridge

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(54) **METHOD AND DEVICE FOR LOCATING GAME SHOT WITH AN ARROW**

(76) Inventor: **Jeff McFatridge**, Hillsboro, TX (US)

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(52) **U.S. Cl.** **473/578**

(57) **ABSTRACT**

The invention disclosed herein is a device and method to enable a bow hunter to track a game animal wounded with an arrow through brush or conditions of low light. The device disclosed herein is composed of a hollow cylindrical tube which is beveled to a sharp point on the end of the tube which enters the body of the animal first. Inside the hollow cylindrical tube is a battery and GPS microchip which, on impacting the animal's body makes contact so as to provide electrical power to the GPS microchip. The GPS microchip then emits a GPS signal which can be detected by a GPS receiver and direct the bow hunter to the wounded animal.